

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

ERIC P. TAYLOR
Plaintiff

v.

TUCKER, ALBIN AND ASSOCIATES,
LLC
Defendant

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Case No. 4:18-cv-460

DEFENDANT'S ORIGINAL ANSWER

Plaintiff, Tucker Albin & Associates LLC ("TAA"), file this original answer to Plaintiff's Original Petition.

NATURE OF THE ACTION

1. TAA admits that Plaintiff has sued it for the violations alleged in this paragraph.

Otherwise, TAA denies the allegations in paragraph 1.

JURISDICTION AND VENUE

2. TAA admits the allegations in paragraph 2.
3. TAA admits the allegations in paragraph 3.

PARTIES

4. TAA is without knowledge or information sufficient to form a belief as to truth of the allegations in paragraph 4.
5. The allegations contained in paragraph 5 constitute conclusions of law to which no response is necessary. To the extent that a response is deemed necessary, TAA denies these averments.
6. TAA admits the allegations in paragraph 6.

7. The allegations contained in paragraph 7 constitute conclusions of law to which no response is necessary. To the extent that a response is deemed necessary, TAA denies these averments.
8. TAA admits the allegations in paragraph 8.

FACTS SUPPORTING CAUSES OF ACTION

9. TAA admits the allegations in paragraph 9.
10. TAA is without knowledge or information sufficient to form a belief as to truth of the allegations in paragraph 10.
11. TAA is without knowledge or information sufficient to form a belief as to truth of the allegations in paragraph 11.
12. TAA is without knowledge or information sufficient to form a belief as to truth of the allegations in paragraph 12.
13. TAA admits the allegations contained in paragraph 13.
14. TAA is without knowledge or information sufficient to form a belief as to truth of the allegations in paragraph 14. Otherwise deny.
15. TAA denies the allegations contained in paragraph 15.
16. TAA denies the allegations contained in paragraph 16.
17. TAA denies the allegations contained in paragraph 17.
18. TAA is without knowledge or information sufficient to form a belief as to truth of the allegations in paragraph 18.
19. TAA denies the allegations contained in paragraph 19.
20. TAA denies the allegations contained in paragraph 20.

21. TAA admits that it uses the telephone number (972) 737-8713. Otherwise, TAA denies the allegations contained in paragraph 21.
22. TAA admits that it uses the telephone number (972) 737-8713. Otherwise, TAA denies the allegations contained in paragraph 22.
23. TAA is without knowledge or information sufficient to form a belief as to truth of the allegations in paragraph 23.
24. TAA denies the allegations contained in paragraph 24.
25. TAA is without knowledge or information sufficient to form a belief as to truth of the allegations in paragraph 25.
26. TAA denies the allegations contained in paragraph 26.

COUNT ONE - TELEPHONE CONSUMER PROTECTION ACT

27. TAA incorporates by reference herein its answers to the allegations contained in paragraphs 1 - 26 above.
28. The allegations contained in paragraph 28 constitute conclusions of law to which no response is necessary. To the extent that a response is deemed necessary, TAA denies these averments.
29. TAA denies the allegations contained in paragraph 29.
30. TAA denies the allegations contained in paragraph 30.
31. The allegations contained in paragraph 31 constitute conclusions of law to which no response is necessary. To the extent that a response is deemed necessary, TAA denies these averments.

32. The allegations contained in paragraph 32 constitute conclusions of law to which no response is necessary. To the extent that a response is deemed necessary, TAA denies these averments.

COUNT TWO - INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

33. TAA incorporates by reference herein its answers to the allegations contained in paragraphs 1 - 32 above
34. The allegations contained in paragraph 34 constitute conclusions of law to which no response is necessary. To the extent that a response is deemed necessary, TAA denies these averments.
35. TAA denies the allegations contained in paragraph 35.
36. TAA denies the allegations contained in paragraph 36.
37. TAA denies the allegations contained in paragraph 37.
38. TAA denies the allegations contained in paragraph 38.
39. TAA denies the allegations contained in paragraph 39.
40. TAA denies the allegations contained in paragraph 40.
41. TAA denies the allegations contained in paragraph 41.

Dated: July 23, 2018

Respectfully submitted,

/s/ Jason Lee Van Dyke
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was electronically filed on the CM/ECF System, which will automatically serve a Notice of Electronic Filing on Sulaiman Law Group Ltd., Attorneys for Plaintiff.

/s/ Jason Lee Van Dyke
JASON LEE VAN DYKE